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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 UNITED STATES OF AMERICA,

No. 2:03-cr-00104-MCE-GGH-P

12 Respondent,

13 v.

ORDER

14 CY BROWN,

15 Movant.
16 _____/

17 Movant, a federal prisoner proceeding pro se, has filed a motion to vacate, set aside or
18 correct his sentence pursuant to 28 U.S.C. § 2255. The matter was referred to a United States
19 Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

20 On April 6, 2010, the magistrate judge filed findings and recommendations herein which
21 were served on all parties and which contained notice to all parties that any objections to the
22 findings and recommendations were to be filed within fourteen days. On April 15, 2010, the
23 findings and recommendations were re-served to movant at his most current address. Neither
24 party has filed objections to the findings and recommendations.


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1 The court has reviewed the file and finds the findings and recommendations to be
2 supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY
3 ORDERED that:

- 4 1. The findings and recommendations filed April 6, 2010, are adopted in full;
- 5 2. The motion (docket #96) and the supplement motions (docket #'s 114, 115) are denied
6 with the exception of Brown's ineffective assistance of Ameline remand counsel; due to the
7 concession of the United States, Brown is to be given a third sentencing hearing.
- 8 3. The Clerk of the Court is directed to close the companion civil case, No. CIV. S-07-
9 2044.

10 Dated: June 14, 2010

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12 MORRISON C. ENGLAND, JR.
13 UNITED STATES DISTRICT JUDGE
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